

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

MARLOW L. BATES, SR.

v.

APPLE INC.

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Civil No. – JFM-16-929

MEMORANDUM

Plaintiff has filed this action for copyright infringement. Defendant has filed a motion to dismiss. The motion will be granted.

As a preliminary matter, two other motions need to be addressed. The first is plaintiff's motion to amend the complaint. The motion is granted. The second is defendant's motion for a more definite statement. The motion is denied as moot.

Plaintiff's complaint fails to allege the facts to support its conclusory averment that plaintiff's copyrights have been infringed. Thus, it does not meet the standard set forth by *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 2007 and *Ashcroft v. Iqbal*, 556 U.S. 662 (2009). The fact that plaintiff is appearing *pro se* does not require that the case go forward. *Yip v. Hugs to Go LLC*, 377 F. App'x 973, 978 (Fed. Cir. 2010) (unpublished opinion).

A separate order of dismissal is being entered herewith.

Date: 10/11/16

J. Frederick Motz
United States District Judge

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